

THE DAILY HAZARD

Workers' memorial day

CONSTRUCTION WORKERS AND BEREAVED RELATIVES CALL FOR JUSTICE

On 28 April, Workers' Memorial Day, workers, bereaved relatives and safety campaigners joined people across the world in an international protest at employer negligence and weak enforcement of health and safety law by the authorities. Hundreds of people marched through central London before attending a rally at Westminster and a lobby of Parliament. The event was organised by the Construction Safety Campaign (CSC), the Campaign against Hazards in London (CAHIL), the Relatives Support Group (RSG) and the Hazards Campaign.

In the last ten years, 1,300 construction workers have been killed on sites, an estimated 40,000 have died of industrial disease and countless thousands have been injured in this country. In the same period, over 5,000 workers from all industries have lost their lives at work.

After one minute's silence in memory of those killed at work, Tony O'Brien, Secretary of the CSC slammed the Government's deregulation programme. "The watering down of safety standards and the possible removal of safety laws is a major threat to us. In addition to the threats posed by the deregulation bill going through Parliament now, the Government is proposing to remove the greater part of construction work from the scope of the already delayed Construction Design and Management (CONDAM) Regulations forced on it by European Community legislation. We are here today to say enough is enough. We demand withdrawal of the deregulation bill and a public inquiry into workplace safety, especially in the construction industry."

Finally, he called on the trade union movement "to switch

resources from fighting for compensation to the campaign to stop injuries and deaths. We don't want people injured or killed at work in the first place". George Brumwell, General Secretary of the building workers' union UCATT, paid tribute to the CSC's campaign and went on to call for active enforcement of the law by the Health and Safety Executive (HSE) and full investigation of deaths and serious injuries by the police. "Regulations in themselves don't save lives, enforcement does," he concluded.

Louise Christian, the UCATT lawyer who has worked on behalf of union members and their families, paid tribute "to the brave women in the Relatives Support Group, people like Anne Elvin and Maureen Brennan who have fought hard to expose employer negligence and weak enforcement by the HSE."

"We want justice, not sympathy," said Denise Finch, whose brother was killed on the Channel Tunnel. "What happened to my brother has meant that my Mum and Dad have been given a life sentence. Negligent employers should be put in jail."



Some of the women whose husbands, sons and friends have died while doing their jobs

London Hazards Centre

The CSC, RSG and UCATT are calling for:

- jail for employers where gross negligence is proven to be the cause of a construction worker death or injury
- the right to stop the job by refusing dangerous work
- proper medical statistics on the true extent of ill health caused by work in the construction industry
- an end to victimisation, the blacklist and anti-trade union laws
- expansion of local authority direct labour organisations

Channel tunnel dead remembered

Supporters of the Construction Safety Campaign (CSC) and bereaved relatives of those killed on the construction of the Channel Tunnel protested at the official opening ceremony on the 6 May 1994. While the Queen and President Mitterand were travelling through the tunnel, CSC supporters were at the tunnel exhibition centre and Folkestone town centre leafleting local people to ensure that those who died on the British half of the project were not forgotten.

Andrew Mckenna (19), David Simes (36), Gary Woodward (32), Keith Lynch (34), Stephen Wright (40), William Cartman (33), Charles McCourt (45) and David Griffiths (26) all died on the project. Many more were injured.

Translink Joint Venture (TJV), the consortium which built the tunnel, is made up of construction firms Balfour Beatty, Costain, Tarmac, Taylor Woodrow and Wimpey Major Projects. TJV were tried and fined for breaches of safety laws in only five of the eight fatality cases. The fines totalled half a million pounds, the largest single fine being a record £200,000.

Tony O'Brien, Secretary of the CSC, said "Local people praised us for remembering those killed and for drawing public attention to the appalling safety record of the project."



500 protesters against workplace deaths join the march on 28 April

Steve Bishop

INSIDE

Newham nursery staff struck down by illness	2
Centre Council member receives community award	2
Factsheet: Contaminated land	3
Workplace stress: new book announced	4

Mystery illness strikes childcare workers

A brand new £1 million childrens' centre in Newham has been shut for the last 6 months because a mystery illness has attacked the 10 workers. The prestige project at Winifred Street E16, funded by the London Docklands Development Corporation and run by Newham Social Services, opened in August 1993 and closed in December after staff complained of crumbling teeth, hair loss, kidney pains, loss of co-ordination and other severe symptoms. Three of the staff needed hospital treatment.

Council officials and the Health and Safety Executive (HSE) are investigating the illness but cannot pinpoint the cause. Yet the HSE is now recommending that both workers and children go back into the Centre. This has outraged the workers' union UNISON which has demanded assurances that their members "are not further exposed to any possible toxic substances." UNISON has also approached local Councillors and MPs for support.

The workers are so concerned by the effects on their health and the response by the Newham occupational health service that they have brought in their own experts to carry out independent tests. They have also gone to the National Poisons Unit for examination by leading toxicologists. Nor is the HSE completely happy with Newham; two improvement notices have been issued requiring the Social Services Department to comply

properly with health and safety law.

Among the theories Council officials have come up with are that the illness has something to do with the time of year, that the symptoms are "psychosomatic", or that there is an infection going around. But all the symptoms strongly suggest that the workers are suffering from metal poisoning picked up from the land on which the centre was built. London Hazards Centre worker Hugh MacGrillen, called in by the childrens' centre workers, says: "It is more than probable that these workers have been exposed to toxic chemicals. All the symptoms point this way. The Council must carry out the key soil tests which would prove this one way or another before they can think of sending the workers or the children back."

Local parents have been told virtually nothing about what is go-



Dave Allen

Jean Kysow receives Lewisham award for community work

LHC management committee member and Chair of the Federation of Lewisham Tenants Associations, Jean Kysow, was honoured by the London Borough of Lewisham earlier this year. Jean received the "Norman Smith Community Work Award" for people in the community who work hard on behalf of others and who would not normally get

recognised for their efforts. The award is named after a former Lewisham mayor.

The award was presented at a special ceremony during a full Council meeting on 13 April. "I was nominated for the award by tenants, and it's nice to be appreciated," said Jean. "But I'm just the figurehead. The award is really for all volunteers".

ing on. But it has been hinted to them that one of the workers had an infection and that the building will be reopened soon for a trial period and the health effects monitored. Local mother Julie Toussaint says: "If there is any chance of my Bianca being exposed to chemicals, I don't want her going back into the centre.

I don't pay my Council Tax for this sort of treatment." A centre worker says: "Even after 6 months, we are all still suffering severe sickness. But the worst thing is that this vital service to Newham's children has been cut off. All we want is to get back to work in a safe environment and get on with the job we are paid to do."

Regulation round-up

While waiting for the passage of the Deregulation Bill into law, the Government appears to be taking every opportunity to reduce health and safety standards. Among recent moves are:

CONDAM curtailed

Much had been hoped for from the Construction (Design and Management) Regulations due to come into force in October this year. However, the Health and Safety Commission (HSC) has made major last-minute changes that will significantly reduce standards. Construction sites with less than five employees and jobs lasting less than six weeks have been excluded from the Regulations. This means that thousands of small sites will not have to pay any attention to the new legislation. In addition, the requirement on architects and designers to take health and

safety considerations into account has been severely diluted.

U-turn on asthma

Meanwhile, a U-turn on protection for asthma sufferers will 'put lives at risk' according to Nigel Bryson, national health and safety officer of the GMB union. On 25 April, the HSE launched a 'Breathe Freely' campaign on the prevention of occupational asthma, but undermined its own campaign by dropping plans for an Approved Code of Practice (ACOP). 'This is deregulation in action. Asthma is a distressing and crippling disease which affects many people in a wide range of industries. Now specific legal requirements have been replaced with advice to employers', said Nigel Bryson.

RIDDOR rule changes

On 22 April, the HSE published

proposals for the revision of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) Regulations. Under the guise of 'improving' the Regulations, the HSE is looking for ways of reducing reporting requirements by changing definitions and procedures (for example, the substitution of written reports by a system for reporting accidents by telephone).

The Consultative document can be obtained free of charge from HSE Books on 0787 881165. Comments must be submitted by 29 July 1994.

Maternity rights

The HSE has issued a Consultative document containing proposals for the implementation of the European Community (EC) Directive on pregnant workers. The proposals apply to pregnant workers, those who have recently given birth or who are breastfeeding. After suc-

ceeding in watering down the Directive itself, the Government is now anxious to dilute the content even further in the process of transposing the Directive into UK law.

The directive says that all women should be entitled to the maternity rights but the HSE is proposing to disqualify women with less than 26 weeks service or those who earn less than £56 per week. Though working conditions and benefits for women will be improved by the new legislation, they will still be worse than in all other member countries of the European Community.

The Directive is due to be transposed into national legislation by 19 October 1994, two years after the adoption of the Directive. For a copy of the Consultative document, ring HSE Books on 0787 881165. You may still just have time to comment: the deadline for submitting comments is 15 June.

CONTAMINATED LAND

A significant proportion of land being re-developed today has been seriously contaminated by previous industrial use. Estimates of the number of contaminated sites in the UK range from 75,000 to 100,000. Conservative estimates say it will take over £20 billion to sort out the problem.

Restrictions in planning permission and green belt laws are making the re-development of contaminated land increasingly likely. Yet the authorities are often either unaware of, or ignoring, the seriousness and extent of contamination. Doubts exist over the efficacy of many reclamation techniques.

Local residents, especially children, and workers employed in re-developing sites are at risk. This fact sheet is aimed at helping ensure the health and safety of those who work or live on or near contaminated sites.

Industrial land

The site may be in use or contain disused industrial buildings and plant. The site may be vacant and unfenced and still be seriously contaminated. Re-developed land may look "clean", but toxins may be there at the surface or below a clean layer of deposited cover.

Old town gas or coal gas plants which supplied homes and factories during the nineteenth century and up until the 1970's are classic sites of pollution. Friends of the Earth have identified 68 of these sites in London but there are many more as facilities such as hospitals made their own gas.

Pollutants include:

- toxic substances: cyanide compounds, arsenic, lead
- radioactive material
- respiratory irritants: sulphur dioxide, hydrogen sulphide, hydrogen cyanide, mineral dusts
- skin irritants and corrosives: strong alkalis, acids, coal tars, phenols, metal oxides
- carcinogens: asbestos, tars, phenols, hydrocarbons
- biological hazards: leptospirosis, tetanus, anthrax

Land fill waste disposal sites

These contain domestic waste, rotting food and paper, nappies, rats etc and sometimes clinical waste from hospitals. This can present biological hazards such

as hepatitis and leptospiral jaundice.

Organic waste can generate gasses such as methane which is both an asphyxiant (causes suffocation) and explosive, and carbon dioxide. Industrial chemicals could also be present: paints, pesticides, cleaning materials etc, some in very large quantities. The toxins listed above for industrial sites could also be found here. Land fill has been used to dispose of asbestos and radioactive substances.

Use of the site for land fill may have ceased and land been covered over. The site may have been operated without proper control or it could have been licensed by the authorities. There are special tips for highly toxic waste but it is not safe to make assumptions as to the type of waste contained in any tip.

How to find out if land is contaminated

Research

There are many and varied sources of information:

- Planning Department registers and Local Authority maps. Older maps show the nature of industrial use. Planning Departments may have done their own research into landfill gasses.
- Local Authority architects' departments, electricity, gas and water companies. Water may be polluted by chemicals from leaching or from rain water.
- Local reference libraries: records maintained by historical societies: Kelly's Directory etc.
- The local Waste Disposal Authority (WDA) provides licences for land fill sites. London's WDA is the London

Waste Regulation Authority (LWRA). Licences have only been required since 1976. In most cases the contents of pre-1976 sites can only be guessed at, so soil samples should be taken from the whole site. WDA records should be available for public inspection. Local Authorities are required to keep a register of land fill sites.

- Local residents may have detailed knowledge of industries previously in the area.
- Land developers may have done a geotechnical or hydrogeological survey of the site, though clearly they are unlikely to release the information. Details of contamination may appear in tender documents relating to the re-development.

Visual inspection

The information gained from research should give clues as to what to look for: layout of buildings, industrial use of site, soil or standing water discolouration, distinctive odours, drums and containers on site. Patchy or restricted vegetation growth may indicate heavy contamination.

Soil sampling

Taking extensive soil samples can be costly but is in most cases unavoidable. Sampling should be taken from top soil and deeper. Take samples at regular intervals in a grid pattern across the site for best results. Most local authority planners do not have the expertise to assess results of sampling. Advice should be sought from local authority environmental health officers (EHOs), the Health and Safety Executive (HSE), the Water Authority (Thames Water Authority in London) or the National Rivers Authority. Ask Hazards Centre(s) for contact details of independent

consultants. Some local colleges may be able to help.

What laws can residents and workers use?

The Local Government (Access to Information) Act 1985 gives everyone the right to inspect planning department records, land fill records, council reports including those by outside consultants, council meeting minutes etc.

The Environmental Protection Act 1990. Section 79 requires local authorities to inspect "statutory nuisances". Use this section to request an inspection of contaminated sites by EHOs. Ask for records of site inspections and contamination reports. Section 80 says that where a "statutory nuisance exists, or is likely to occur or recur" local authorities have the power to serve "an abatement notice" requiring steps to be taken to prevent this. EHOs can insist on the cleaning up of sites, control of the hazards, fencing and erection of hazard signs.

The Environmental Information Regulations 1992 require any public body with environmental responsibilities — including government departments, local authorities and quangos — to provide information on request about the state of the environment, activities affecting it and measures to protect it. Disclosure must take place within two months. Refusals must be in writing and give reasons. The authorities can make "reasonable charges" for the information.

Water Registers. You have a legal right to see most discharge "consents" and pollution test results held on the Water Registers maintained by the Water Rivers Authority (WRA). You can ask your water supplier if there is a likelihood of pollution of your water supply from any land fill or contaminated sites and ask to see any investigation results.

The Health and Safety at Work (HSW) Act 1974; the Safety Representatives and Safety Committee Regulations 1977; the Control of Substances Hazardous to Health (COSHH) Regulations 1988; and the Management of Health and Safety at Work Regulations 1992 are all designed to protect the health and safety of employees. But local residents may find that they also can obtain valuable

information from companies engaged in redevelopment by contacting workers employed on site, especially if those workers are in a trade union.

Section 3(1) of HSW Act requires employers to make sure that people not in their employment who may be affected by their activities are provided with information and not exposed to risks to their health and safety.

The Construction (Design and Management) (CONDAM) Regulations will come into force in October 1994. They will cover major construction projects and require arrangements to be made for the safe planning, building and demolition of projects.

When using any of the laws above, you may find that you are refused information on the grounds of "commercial confidentiality". This may be illegal and should not stop you challenging the refusal. You may have to appeal to enforcement agents such as EHOs and HSE Factory Inspectors, the local authority Chief Executive, your ward councillor, leader of the council, local MP or Ombudsman. You may have a right to challenge some decisions in the courts.

Further information and contacts

The HSE has published a booklet which sets out the main steps for safe removal of contaminated soil, control of contaminated dusts, the protection of people living in the area or working on the site: *Protection of workers and the general public during the development of contaminated land*, HS(G)66, and is available from HSE Books for £3.00. It is essential reading for tenants and workers alike.

London Waste Regulation Authority, 20 Albert Embankment, London SE1 7TJ Tel: 071 587 3000

Friends of the Earth, 26-28 Underwood Street, London N1 1JQ Tel: 071 490 1555
Communities Against Toxics, 31 Station Road, Little Sutton, South Wirral L66 1NU Tel/fax: 051 339 5473

Thames Water, Nugent House, Vattern Road, Reading, Berks RG1 8DB Tel: 0734 593333
National Rivers Authority, 30-34 Albert Embankment, London SE1 7TL
Health and Safety Executive Public Enquiry Point Tel: 0742 892345

HSE Books, PO Box 1999, Sudbury, Suffolk CO10 6FS Tel: 0787 881165.



Stressed to the limit

6 I felt like I was unconnected to my body, empty, like a squeezed out tube of toothpaste. I experienced unprovoked feelings of hostility towards my colleagues, especially if they were making new demands on me. Over the months, I got progressively more and more ground down, getting increasingly desperate and wondering at times if it might be better to be dead.

Christopher Johnstone, describing the effects of working up to 110 hours a week as a junior hospital doctor.

This quote is taken from the London Hazards Centre's forthcoming book: **Hard Labour — Stress, ill-health and hazardous employment practices.** The book contains many other such examples of workers whose mental and physical health has been damaged by stress at work.

Hard Labour describes in detail the health effects of stress, and looks at causes such as dangerous work schedules, work organisation, workloads and work environments. The book argues that stress presents

as great a risk to health as exposure to dangerous chemicals or hazardous machinery and that employers have the same responsibility to protect their employees' mental health as to protect their physical health at work.

The book shows that forcing workers to work ever-longer hours for reduced pay and conditions is not only dangerous, but also makes no economic sense — stress costs UK employers £7 billion and 80 million lost working days each year.

Hard Labour provides powerful arguments for changing the kind of employment practices which cause stress, and suggests practical remedies to those trying to bring about improvements in their workplaces.

Hard Labour — Stress, ill-health and hazardous employment practices. London Hazards Centre Trust. £6.95 plus £1.00 post & packing. To be published in August 1994. See flyer inside this issue for special pre-publication offer.

Appeal raises over £2,000

The Centre Management Committee and Staff would like to thank all those who responded to our recent appeal. Your support is greatly appreciated.

100 and over

GMB/APEX Trade Union
GMB Fulham 1 Branch
GPMU Chiltern & Thames Valley Branch
APEX Islington Branch
MSF Central London HO 692 Branch
MSF London Health & Safety Committee
TGWU Branch 369
UNISON — Ealing Health

£50 and over

AEEU
ASLEF Willesden Branch
Greenwich UNISON 'A'
Inland Revenue Staff Federation — London City Taxes Branch
MSF Hendon & Wembley Branch
MSF Legal & General (London) Branch
NCU City of London Engineering Branch
UNISON Herts County Branch

£30 and over

MSF Wellcome & Murex Branch
NUCPS Surrey & Thames Valley Branch
NUT Lambeth
RMT Willesden Rail Branch

£20 and over

Marjorie Boye-Anawomah
Pat Caplan
Rachel Lander
GMB Braintree & Bocking Branch
GMB London Region
GMB & ATU Edmonton Branch
GMB Southend
GPMU Dorset & District
MSF Ealing
MSF Ilford/Romford Branch
NUCPS Heron House Branch
NUCPS Department of Health Headquarters Branch
POTASH TGWU 6/785 Branch
UNISON Kingston & District CHU
UNISON Herts County Branch
APEX North West Middlesex Branch

£10 and over

CPSA British Library (London) Branch
Stuart Gillings
GMB Corringham Branch
GMB Norwich Branch
Hammersmith & Fulham Federation of Tenants and Residents Associations
Health & Housing Group
Kathryn Johnson
R.H. Price
C. Stephenson
UNISON Greater London Manual
MSF C N Easton
APEX TUPS Blackheath
Drysdale & District Residents Association



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London Hazards Centre Trust is funded by



Stress for today's teacher
by Tim Nuttall for London Hazards Centre



Hunt for new office space

CAN YOU HELP?

The London Hazards Centre needs to find new premises. We require:

- 1,500 square feet
- Annual rent up to £10,000
- Internal repairing lease
- Location in zones 1 or 2, off main road
- Disabled persons access
- Meeting room/rest room/training room facilities
- Resource space/library
- Naturally ventilated (not sealed building)
- Car parking

If you know of any available premises that fit the above description, please contact Shonagh Methven at the Centre on 071 837 5605.

New face

Locum Advice and Training Worker, Shonagh Methven comes to us after three years working for Wandsworth and Battersea Trades Council. She is replacing Fiona Murie who is on a year's unpaid leave.



PUBLICATIONS

- ▲ **VDU Work and the Hazards to Health.** August 1993. £6.50
- ▲ **Protecting the Community: A worker's guide to health and safety in Europe.** May 1992. £9.95
- ▲ **Basic Health and Safety: Workers' rights and how to win them.** June 1991. £6.00
- ▲ **Repetition Strain Injuries: Hidden harm from over-use.** January 1988. £3.00*/£6.00
- ▲ **Out in the Open** (supplement to Repetition Strain Injuries) January 1993. £1.00 (free with Repetition Strain Injuries)
- ▲ **Sick Building Syndrome: Causes, effects and control.** June 1990. £4.50
- ▲ **Fluorescent Lighting: A health hazard overhead.** March 1987. £2.00*/£5.00
- ▲ **Toxic Treatments: Wood preservative hazards at work and in the home.** January 1989. £5.95
- ▲ **After the Sprayer: investigation and treatment of ill-health caused by wood preservatives and how to get help.** January 1992. Factsheet. £1.00
- ▲ **Factpack.** Set of factsheets from the Daily Hazard. £5.00
- ▲ **Daily Hazard** complete run: £25.00

* Price to community/tenants/union groups.

Prices include postage. Discounts for 10 or more copies. All orders must be accompanied by a cheque made payable to London Hazards Centre.

HAZLIT is London Hazards Centre's library database. For information about on-line access, contact the Centre.